



General Assembly

Distr.: General
2 February 2017Seventy-first session
Agenda item 68 (b)**Resolution adopted by the General Assembly on 19 December 2016***[on the report of the Third Committee (A/71/484/Add.2)]***71/187. Moratorium on the use of the death penalty***The General Assembly,**Guided by the purposes and principles contained in the Charter of the United Nations,**Reaffirming the Universal Declaration of Human Rights,¹ the International Covenant on Civil and Political Rights² and the Convention on the Rights of the Child,³**Recalling the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,⁴ and in this regard welcoming the increasing number of accessions to and ratifications of the Second Optional Protocol,**Reaffirming its resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010, 67/176 of 20 December 2012 and 69/186 of 18 December 2014 on the question of a moratorium on the use of the death penalty, in which the General Assembly called upon States that still maintain the death penalty to establish a moratorium on executions with a view to abolishing it,**Welcoming all relevant decisions and resolutions of the Human Rights Council,**Mindful that any miscarriage or failure of justice in the implementation of the death penalty is irreversible and irreparable,**Convinced that a moratorium on the use of the death penalty contributes to respect for human dignity and to the enhancement and progressive development of human rights, and considering that there is no conclusive evidence of the deterrent value of the death penalty,**Noting ongoing local and national debates and regional initiatives on the death penalty, as well as the readiness of an increasing number of Member States to make*¹ Resolution 217 A (III).² See resolution 2200 A (XXI), annex.³ United Nations, *Treaty Series*, vol. 1577, No. 27531.⁴ *Ibid.*, vol. 1642, No. 14668.

available to the public information on the use of the death penalty, and also, in this regard, the decision by the Human Rights Council in its resolution 26/2 of 26 June 2014⁵ to convene biennial high-level panel discussions in order to further exchange views on the question of the death penalty,

Recognizing the role of national human rights institutions in contributing to ongoing local and national debates and regional initiatives on the death penalty,

Welcoming the considerable movement towards the abolition of the death penalty globally and the fact that many States are applying a moratorium, including long-standing moratoriums, either in law or in practice, on the use of the death penalty,

Emphasizing the need to ensure that persons facing the death penalty are treated with humanity and with respect for their inherent dignity and in compliance with their rights under international human rights law,

Noting the technical cooperation among Member States, as well as the role of relevant United Nations entities and human rights mechanisms, in supporting State efforts to establish moratoriums on the death penalty,

Bearing in mind the work of special procedures mandate holders who have addressed human rights issues related to the death penalty within the framework of their respective mandates,

1. *Reaffirms* the sovereign right of all countries to develop their own legal systems, including determining appropriate legal penalties, in accordance with their international law obligations;
2. *Expresses its deep concern* about the continued application of the death penalty;
3. *Welcomes* the report of the Secretary-General on the implementation of resolution 69/186⁶ and the recommendations contained therein;
4. *Also welcomes* the steps taken by some States to reduce the number of offences for which the death penalty may be imposed, as well as steps taken to limit its application;
5. *Further welcomes* initiatives and political leadership encouraging national discussions and debates on the possibility of moving away from capital punishment through domestic decision-making;
6. *Welcomes* the decisions made by an increasing number of States from all regions, at all levels of government, to apply a moratorium on executions, followed in many cases by the abolition of the death penalty;
7. *Calls upon* all States:

(a) To respect international standards that provide safeguards guaranteeing protection of the rights of those facing the death penalty, in particular the minimum standards, as set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, as well as to provide the Secretary-General with information in this regard;

⁵ See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53 (A/69/53)*, chap. V, sect. A.

⁶ A/71/332.

(b) To comply with their obligations under article 36 of the 1963 Vienna Convention on Consular Relations,⁷ particularly the right to receive information on consular assistance;

(c) To make available relevant information, disaggregated by sex, age and race, as applicable, and other applicable criteria, with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row and the number of executions carried out, the number of death sentences reversed or commuted on appeal and information on any scheduled execution, which can contribute to possible informed and transparent national and international debates, including on the obligations of States pertaining to the use of the death penalty;

(d) To progressively restrict the use of the death penalty and not to impose capital punishment for offences committed by persons below 18 years of age, on pregnant women or on persons with mental or intellectual disabilities;

(e) To reduce the number of offences for which the death penalty may be imposed;

(f) To ensure that those facing the death penalty can exercise their right to apply for pardon or commutation of their death sentence by ensuring that clemency procedures are fair and transparent and that prompt information is provided at all stages of the process;

(g) To establish a moratorium on executions with a view to abolishing the death penalty;

8. *Calls upon* States which have abolished the death penalty not to reintroduce it, and encourages them to share their experience in this regard;

9. *Encourages* States which have a moratorium to maintain it and to share their experience in this regard;

10. *Calls upon* States that have not yet done so to consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;⁴

11. *Requests* the Secretary-General to report to the General Assembly at its seventy-third session on the implementation of the present resolution;

12. *Decides* to continue consideration of the matter at its seventy-third session under the item entitled "Promotion and protection of human rights".

65th plenary meeting
19 December 2016

⁷ United Nations, *Treaty Series*, vol. 596, No. 8638.



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[on the report of the Third Committee (A/71/484/Add.2)]

71/188. Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles of the Universal Declaration of Human Rights¹ and the provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,² the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto,³ the International Convention for the Protection of All Persons from Enforced Disappearance,⁴ the Convention on the Elimination of All Forms of Discrimination against Women,⁵ the Convention on the Rights of the Child⁶ and the International Covenant on Economic, Social and Cultural Rights,⁷ as well as all other relevant international treaties,

Calling attention to the numerous international standards in the field of the administration of justice,

Recalling all the resolutions of the General Assembly, the Human Rights Council, the Commission on Human Rights and the Economic and Social Council that are relevant to the subject of human rights in the administration of justice, including General Assembly resolution 69/172 of 18 December 2014 and Human Rights Council resolution 30/7 of 1 October 2015,

Taking note of the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities,⁸

Welcoming the adoption of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),⁹

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex; and United Nations, *Treaty Series*, vol. 1642, No. 14668.

³ United Nations, *Treaty Series*, vols. 1465 and 2375, No. 24841.

⁴ Resolution 61/177, annex.

⁵ United Nations, *Treaty Series*, vol. 1249, No. 20378.

⁶ *Ibid.*, vol. 1577, No. 27531.

⁷ See resolution 2200 A (XXI), annex.

⁸ A/71/169.

⁹ Resolution 70/175, annex.



Reaffirming the importance of international standards and norms in crime prevention and criminal justice, including in relation to drug-related crimes, as recognized by Member States in the outcome document of the thirtieth special session of the General Assembly, entitled "Our joint commitment to effectively addressing and countering the world drug problem",¹⁰

Welcoming the work of all special procedures of the Human Rights Council that address human rights in the administration of justice in the discharge of their mandates,

Taking note of the work of all human rights treaty body mechanisms on human rights in the administration of justice, inter alia, of general comments No. 21 on the humane treatment of persons deprived of their liberty,¹¹ No. 32 on the right to equality before courts and tribunals and to a fair trial¹² and No. 35 on liberty and security of person,¹³ adopted by the Human Rights Committee, and general comments No. 10 on children's rights in juvenile justice¹⁴ and No. 13 on the right of the child to freedom from all forms of violence,¹⁵ adopted by the Committee on the Rights of the Child,

Noting with appreciation the important work in the field of the administration of justice of the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the United Nations Children's Fund, the Department of Peacekeeping Operations of the Secretariat and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) as well as the work of the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict,

Noting with appreciation also the thematic report of the Special Representative of the Secretary-General on Violence against Children entitled "Safeguarding the Rights of Girls in the Criminal Justice System: Preventing Violence, Stigmatization and Deprivation of Liberty", the report of the Special Rapporteur on minority issues concerning minorities in the criminal justice system¹⁶ and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment,¹⁷

Noting with satisfaction the work of the Interagency Panel on Juvenile Justice and of its members,

Encouraging continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, and noting in this regard the World Congress on Juvenile Justice, held in Geneva from 26 to 30 January 2015,

¹⁰ Resolution S-30/1, annex.

¹¹ *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40 (A/47/40), annex VI.B.*

¹² *Ibid.*, *Sixty-second Session, Supplement No. 40 (A/62/40), vol. I, annex VI.*

¹³ CCPR/C/GC/35.

¹⁴ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 41 (A/63/41), annex IV.*

¹⁵ *Ibid.*, *Sixty-seventh Session, Supplement No. 41 (A/67/41), annex V.*

¹⁶ A/70/212.

¹⁷ A/71/298.

Convinced that the independence and impartiality of the judiciary and the integrity of the judicial system as well as an independent legal profession are essential prerequisites for the protection of human rights, the rule of law, good governance and democracy and for ensuring that there is no discrimination in the administration of justice and should therefore be respected in all circumstances,

Recalling that every State should provide an effective framework of remedies to redress human rights grievances or violations,

Emphasizing that the right to access to justice for all forms an important basis for strengthening the rule of law through the administration of justice,

Welcoming the inclusion in Sustainable Development Goal 16,¹⁸ on the promotion of just, peaceful and inclusive societies, of the target to promote the rule of law at the national and international levels and to ensure equal access to justice for all,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice as a crucial contribution to building peace and justice and ending impunity,

Recognizing the importance of the principle that, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration, persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms,

Concerned about the negative impact of overincarceration and overcrowding on the enjoyment of human rights, and acknowledging that overincarceration constitutes one of the major underlying causes of overcrowding,

Recalling that the social rehabilitation and reintegration of persons deprived of their liberty shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are able to lead a law-abiding and self-supporting life upon their return to society,

Recognizing the need for Governments to take measures, within the justice system, particularly the criminal justice system, to prevent discrimination, inter alia, against persons belonging to national or ethnic, religious and linguistic minorities and to increase their effective participation within the system,

Aware of the need for special vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, and their vulnerability to various forms of violence, abuse, injustice and humiliation,

Reaffirming that children who are victims and witnesses of crime and violence are particularly vulnerable and require special protection, assistance and support appropriate to their age, level of maturity and needs, in order to prevent further hardship and trauma that may result from their participation in the criminal justice process,

Recognizing the specific situation and needs of children formerly associated with armed forces or armed groups when accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups,

¹⁸ See resolution 70/1.

Reaffirming that the best interests of the child shall be a primary consideration in all actions concerning the child in the administration of justice, including in relation to pretrial measures, as well as being an important consideration in all matters concerning the child related to sentencing of his or her parents, or, where applicable, legal guardians or primary caregivers,

1. *Takes note with appreciation* of the most recent report of the Secretary-General on human rights in the administration of justice;¹⁹

2. *Also takes note with appreciation* of the reports of the United Nations High Commissioner for Human Rights on the protection of human rights of juveniles deprived of their liberty,²⁰ on access to justice for children²¹ and on the human rights implications of overincarceration and overcrowding²² and the joint report of the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system,²³ submitted to the Human Rights Council;

3. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice, and invites States to assess their national legislation and practice against those standards;

4. *Invites* States to make use of technical assistance offered by the relevant United Nations entities and programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

5. *Appeals* to Governments to include, in their national development plans, the effective administration of justice and equal access to justice as an integral part of the development process, with a view to promoting and protecting human rights, and to allocate adequate resources for the provision of legal aid services, and invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

6. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular through reform of the judiciary, the police and the penal system, as well as juvenile justice reform, and through the encouragement of independence, accountability and transparency in the judiciary, in order to establish and maintain stable societies and the rule of law in post-conflict situations, and welcomes the role of the Office of the High Commissioner in supporting the establishment and functioning of transitional justice mechanisms in post-conflict situations;

7. *Reaffirms* that no one should be unlawfully or arbitrarily deprived of his or her liberty, and notes the principles of necessity and proportionality in this regard;

¹⁹ A/71/405.

²⁰ A/HRC/21/26.

²¹ A/HRC/25/35 and Add.1 and A/HRC/27/25.

²² A/HRC/30/19.

²³ A/HRC/21/25.

8. *Calls upon* States to apply individual criminal responsibility and to refrain from detaining persons based solely on their family ties with an alleged offender;

9. *Also calls upon* States to ensure that anyone who is deprived of his or her liberty through arrest or detention has prompt access to a competent court with the effective power to determine the lawfulness of the detention and to order release if the detention or imprisonment is determined not to be lawful and prompt access to legal counsel, in accordance with their international obligations and commitments;

10. *Calls upon* all States to consider establishing, maintaining or enhancing independent national mechanisms with the mandate to monitor all places of detention, including by making unannounced visits, and to hold private interviews without witnesses with all persons deprived of liberty, inter alia, in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);²⁴

11. *Affirms* that States must ensure that any measure taken to combat terrorism, including in the administration of justice, complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

12. *Recalls* the absolute prohibition of torture in international law, and calls upon States to address and prevent the detention conditions, treatment and punishment of persons deprived of their liberty that amount to cruel, inhuman or degrading treatment or punishment;

13. *Calls upon* States to investigate promptly, effectively and impartially all alleged human rights violations suffered by persons deprived of their liberty, in particular cases involving death, torture and cruel, inhuman or degrading treatment or punishment, to provide effective remedy to the victims, in accordance with their international obligations and commitments and to ensure that detention administrations fully cooperate with the investigating authority and preserve all evidence;

14. *Urges* States to endeavour to reduce, where appropriate, pretrial detention, which should be a measure of last resort and for as short a period as possible, inter alia, by adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives and by taking measures aimed at the implementation of existing legislation, as well as by ensuring access to justice and legal advice and assistance;

15. *Encourages* States to address overcrowding in detention facilities by taking effective measures, including through enhancing the availability and use of alternatives to pretrial detention and custodial sentences, bearing in mind the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)²⁴ and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),²⁵ access to legal aid, mechanisms for crime prevention, early release and rehabilitation programmes and the efficiency as well as the capacity of the criminal justice system

²⁴ Resolution 45/110, annex.

²⁵ Resolution 65/229, annex.

and its facilities, bearing in mind the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems;²⁶

16. *Continues to encourage* States to pay due attention to the Bangkok Rules when developing and implementing relevant legislation, procedures, policies and action plans, and invites relevant special procedure mandate holders, the Office of the High Commissioner, the United Nations Office on Drugs and Crime and all other relevant organizations to take those rules into consideration in their activities;

17. *Encourages* States to review penal policies that can contribute to overincarceration and overcrowding, in particular regarding so-called "zero-tolerance policies", such as the application of mandatory pretrial detention and mandatory minimum sentences especially for minor and/or non-violent crimes;

18. *Recognizes* that every child and juvenile alleged as, accused of or recognized as having infringed the law, particularly those who are deprived of their liberty, as well as child victims and witnesses of crimes, should be treated in a manner consistent with his or her rights, dignity and needs, in accordance with international law, bearing in mind relevant international standards on human rights in the administration of justice, taking into account also the age, gender, social circumstances and development needs of such children, and calls upon States parties to the Convention on the Rights of the Child²⁷ and States parties to the Optional Protocols to the Convention²⁸ to abide strictly by their principles and respective provisions;

19. *Reiterates* the importance of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,²⁸ and urges States to consider applying them, as appropriate, in the design, implementation, monitoring and evaluation of laws, policies, programmes, budgets and mechanisms aimed at eliminating violence against children in the field of crime prevention and criminal justice;

20. *Recalls* its resolution 69/157 of 18 December 2014, in which it invited the Secretary-General to commission an in-depth global study on children deprived of liberty, to be funded through voluntary contributions, and in this regard encourages Member States, United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to support the elaboration of the study;

21. *Notes* the regional conference on oversight, inspection and monitoring of places where children are deprived of liberty in the framework of the criminal justice system organized in Buenos Aires on 19 and 20 May 2016 by the Special Representative of the Secretary-General on Violence against Children and the United Nations Children's Fund, and the important recommendations that have been put forward in this regard;

22. *Encourages* States that have not yet integrated children's issues into their overall rule of law efforts to do so and to develop and implement a comprehensive and coordinated juvenile justice policy to prevent and address juvenile delinquency and to address risks and causes for children's contact with the juvenile and/or criminal justice system, as well as with a view to promoting, inter alia, the use of

²⁶ Resolution 67/187, annex.

²⁷ United Nations, *Treaty Series*, vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

²⁸ Resolution 69/194, annex.

alternative measures, such as diversion and restorative justice, and complying with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

23. *Stresses* the importance of including reintegration strategies for former child offenders in juvenile justice policies, in particular through the provision of gender-sensitive education and life skills programmes, as well as treatment and services for substance abuse and mental health needs, with a view to their assuming a constructive role in society;

24. *Urges* States to take all necessary and effective measures, including legal reform where appropriate, to prevent and respond to all forms of violence against children within the justice system, including within the informal justice system, where it exists;

25. *Also urges* States to ensure that, under their legislation and practice, neither capital punishment nor life imprisonment without the possibility of release nor corporal punishment is imposed for offences committed by persons under 18 years of age, and encourages States to consider repealing all other forms of life imprisonment for offences committed by persons under 18 years of age;

26. *Encourages* States not to set the minimum age of criminal responsibility at too low an age level, bearing in mind the emotional, mental and intellectual maturity of the child, and in this respect notes the recommendation of the Committee on the Rights of the Child to increase the lower minimum age of criminal responsibility to the age of 12 years as the absolute minimum age, and to continue to increase it to a higher age level;¹²

27. *Also encourages* States to gather relevant information, including through data collection and research, concerning children within their criminal justice systems so as to improve their administration of justice, while being mindful of the children's right to privacy, with full respect for relevant international human rights instruments, and bearing in mind applicable international standards on human rights in the administration of justice;

28. *Stresses* the importance of paying greater attention to the impact on children of imprisonment or other sentences imposed upon their parents, while noting with interest the convening of and reports on all relevant meetings and panel discussions on these issues held by the Human Rights Council;²⁹

29. *Invites* Governments to provide for tailored and interdisciplinary human rights training, including anti-racist, multicultural, gender-sensitive and child rights training, to all judges, lawyers, prosecutors, social workers, immigration and police officers and other professionals concerned, including personnel deployed in international field presences;

30. *Invites* States, upon their request, to benefit from technical advice and assistance provided by the relevant United Nations entities and programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

31. *Invites* the Office of the High Commissioner and the United Nations Office on Drugs and Crime to reinforce their technical assistance to States, upon

²⁹ A/HRC/21/31 and A/HRC/25/33.

request and in accordance with their respective mandates, to strengthen the national capacity-building of States in the field of the administration of justice, in particular in post-conflict situations, and in this context to strengthen cooperation with relevant United Nations entities;

32. *Underlines* the importance of rebuilding and strengthening structures for the administration of justice and of respecting the rule of law and human rights, including in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity, and in this respect requests the Secretary-General to further streamline and strengthen system-wide coordination and coherence of programmes and activities of the relevant parts of the United Nations system, including through the Rule of Law Coordination and Resource Group chaired by the Deputy Secretary-General, the Rule of Law Unit in the Executive Office of the Secretary-General and the joint global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations;

33. *Invites* States, in the context of the universal periodic review mechanism and in their reports under international human rights treaties, to consider addressing the promotion and protection of human rights in the administration of justice;

34. *Invites* relevant special procedure mandate holders of the Human Rights Council, as well as relevant treaty bodies, to give special attention to questions relating to the effective protection of human rights in the administration of justice, and to provide, wherever appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

35. *Requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report on the latest developments, challenges and good practices in human rights in the administration of justice, including on efforts to ensure equal access to justice for all through the independent, impartial and effective administration of justice, and on the activities undertaken by the United Nations system as a whole;

36. *Decides* to continue its consideration of the question of human rights in the administration of justice at its seventy-third session under the item entitled "Promotion and protection of human rights".

65th plenary meeting
19 December 2016



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Distr.: General
2 February 2017

Seventy-first session
Agenda item 68 (b)

Resolution adopted by the General Assembly on 19 December 2016

[on the report of the Third Committee (A/71/484/Add.2)]

71/189. Declaration on the Right to Peace

The General Assembly,

Recalling all previous resolutions on the promotion of the right to peace and the promotion of peace as a vital requirement for the full enjoyment of all human rights by all, adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, in particular Council resolution 20/15 of 5 July 2012,¹

Stressing that peace is a vital requirement for the promotion and protection of all human rights for all,

Welcoming the adoption by the Human Rights Council, by its resolution 32/28 of 1 July 2016,² of the Declaration on the Right to Peace,

1. *Adopts* the Declaration on the Right to Peace, as contained in the annex to the present resolution;
2. *Invites* Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Declaration and to promote universal respect and understanding thereof;
3. *Decides* to continue consideration of the question of the promotion of the right to peace at its seventy-third session under the item entitled "Promotion and protection of human rights".

65th plenary meeting
19 December 2016

Annex

Declaration on the Right to Peace

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

¹ See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53 and corrigendum (A/67/53 and Corr.1)*, chap. IV, sect. A.

² *Ibid.*, Seventy-first Session, Supplement No. 53 (A/71/53), chap. II.



Recalling the Universal Declaration of Human Rights,³ the International Covenant on Civil and Political Rights,⁴ the International Covenant on Economic, Social and Cultural Rights⁴ and the Vienna Declaration and Programme of Action,⁵

Recalling also the Declaration on the Right to Development,⁶ the United Nations Millennium Declaration,⁷ the 2030 Agenda for Sustainable Development,⁸ including the Sustainable Development Goals, and the 2005 World Summit Outcome,⁹

Recalling further the Declaration on the Preparation of Societies for Life in Peace,¹⁰ the Declaration on the Right of Peoples to Peace¹¹ and the Declaration and Programme of Action on a Culture of Peace,¹² and other international instruments relevant to the subject of the present Declaration,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples,¹³

Recalling also that the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations¹⁴ solemnly proclaimed the principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations; the principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered; the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter; the duty of States to cooperate with one another in accordance with the Charter; the principle of equal rights and self-determination of peoples; the principle of the sovereign equality of States; and the principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter,

Reaffirming the obligations of all Member States, as enshrined in the Charter, to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

Acknowledging that the fuller development of a culture of peace is integrally linked to the realization of the right of all peoples, including those living under colonial or other forms of alien domination or foreign occupation, to self-determination as enshrined in the Charter and embodied in the International

³ Resolution 217 A (III).

⁴ See resolution 2200 A (XXI), annex.

⁵ A/CONF.157/24 (Part I), chap. III.

⁶ Resolution 41/128, annex.

⁷ Resolution 55/2.

⁸ Resolution 70/1.

⁹ Resolution 60/1.

¹⁰ Resolution 33/73.

¹¹ Resolution 39/11, annex.

¹² Resolutions 53/243 A and B.

¹³ Resolution 1514 (XV).

¹⁴ Resolution 2625 (XXV), annex.

Covenants on Human Rights,⁴ as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Convinced that any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State or country or at its political independence is incompatible with the purposes and principles of the Charter, as stated in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in General Assembly resolution 2625 (XXV) of 24 October 1970,

Recognizing the importance of the settlement of disputes or conflicts through peaceful means,

Deeply deploring all acts of terrorism, recalling that the Declaration on Measures to Eliminate International Terrorism¹⁵ declared that acts, methods and practices of terrorism constitute a grave violation of the purposes and principles of the United Nations and may pose a threat to international peace and security, jeopardize friendly relations among States, threaten the territorial integrity and security of States, hinder international cooperation and aim at the destruction of human rights, fundamental freedoms and the democratic bases of society, and reaffirming that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed,

Stressing that all measures taken in the fight against terrorism must be in compliance with the obligations of States under international law, including international human rights, refugee and humanitarian law, as well as those enshrined in the Charter,

Urging all States that have not yet done so to consider, as a matter of priority, becoming parties to international instruments related to terrorism,

Reaffirming that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism, and recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but are complementary and mutually reinforcing,

Reaffirming also the determination of the peoples of the United Nations, as expressed in the Preamble to the Charter, to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, to promote social progress and better standards of life in larger freedom, and to practice tolerance and live together in peace with one another as good neighbours,

Recalling that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

Recognizing that peace is not only the absence of conflict but also requires a positive, dynamic participatory process where dialogue is encouraged and conflicts are solved in a spirit of mutual understanding and cooperation, and socioeconomic development is ensured,

¹⁵ Resolution 49/60, annex.

Recalling that the recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, and recognizing that peace is promoted through the full enjoyment of all inalienable rights derived from the inherent dignity of all human beings,

Recalling also that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Recalling further the world commitment to eradicate poverty and to promote sustained economic growth, sustainable development and global prosperity for all, and the need to reduce inequalities within and among countries,

Recalling the importance of the prevention of armed conflict in accordance with the purposes and principles of the Charter and of the commitment to promote a culture of prevention of armed conflict as a means of effectively addressing the interconnected security and development challenges faced by peoples throughout the world,

Recalling also that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women, on equal terms with men in all fields,

Reaffirming that, since wars begin in the minds of human beings, it is in the minds of human beings that the defence of peace must be constructed, and recalling the importance of the settlement of disputes or conflicts through peaceful means,

Recalling the need for strengthened international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs,

Recalling also that development assistance and capacity-building based on the principle of national ownership in post-conflict situations should restore peace through rehabilitation, reintegration and reconciliation processes involving all those engaged, and recognizing the importance of the peacemaking, peacekeeping and peacebuilding activities of the United Nations for the global pursuit of peace and security,

Recalling further that the culture of peace and the education of humanity for justice, liberty and peace are indispensable to the dignity of human beings and constitute a duty that all nations must fulfil in a spirit of mutual assistance and concern,

Reaffirming that the culture of peace is a set of values, attitudes, traditions and modes of behaviour and ways of life, as identified in the Declaration on a Culture of Peace, and that all this should be fostered by an enabling national and international environment conducive to peace,

Recognizing the importance of moderation and tolerance as values contributing to the promotion of peace and security,

Recognizing also the important contribution that civil society organizations can make in building and preserving peace, and in strengthening a culture of peace,

Stressing the need for States, the United Nations system and other relevant international organizations to allocate resources to programmes aimed at strengthening a culture of peace and upholding human rights awareness through training, teaching and education,

Stressing also the importance of the contribution of the United Nations Declaration on Human Rights Education and Training¹⁶ to the promotion of a culture of peace,

Recalling that respect for the diversity of cultures, tolerance, dialogue and cooperation, in a climate of mutual trust and understanding, are among the best guarantees of international peace and security,

Recalling also that tolerance is respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human, and the virtue that makes peace possible and contributes to the promotion of a culture of peace,

Recalling further that the constant promotion and realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of a society as a whole and within a democratic framework based on the rule of law would contribute to the strengthening of friendship, cooperation and peace among peoples and States,

Recalling the need to design, promote and implement, at the national, regional and international levels, strategies, programmes and policies, and adequate legislation, which may include special and positive measures, for furthering equal social development and the realization of the civil and political, economic, social and cultural rights of all victims of racism, racial discrimination, xenophobia and related intolerance,

Recognizing that racism, racial discrimination, xenophobia and related intolerance, where they amount to racism and racial discrimination, are an obstacle to friendly and peaceful relations among peoples and nations, and are among the root causes of many internal and international conflicts, including armed conflicts,

Inviting solemnly all stakeholders to guide themselves in their activities by recognizing the high importance of practising tolerance, dialogue, cooperation and solidarity among all human beings, peoples and nations of the world as a means to promote peace; to that end, present generations should ensure that both they and future generations learn to live together in peace with the highest aspiration of sparing future generations the scourge of war,

Declares the following:

Article 1

Everyone has the right to enjoy peace such that all human rights are promoted and protected and development is fully realized.

Article 2

States should respect, implement and promote equality and non-discrimination, justice and the rule of law, and guarantee freedom from fear and want as a means to build peace within and between societies.

¹⁶ Resolution 66/137, annex.

Article 3

States, the United Nations and specialized agencies should take appropriate sustainable measures to implement the present Declaration, in particular the United Nations Educational, Scientific and Cultural Organization. International, regional, national and local organizations and civil society are encouraged to support and assist in the implementation of the present Declaration.

Article 4

International and national institutions of education for peace shall be promoted in order to strengthen among all human beings the spirit of tolerance, dialogue, cooperation and solidarity. To this end, the University for Peace should contribute to the great universal task of educating for peace by engaging in teaching, research, post-graduate training and dissemination of knowledge.

Article 5

Nothing in the present Declaration shall be construed as being contrary to the purposes and principles of the United Nations. The provisions included in the present Declaration are to be understood in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights³ and relevant international and regional instruments ratified by States.
